

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. George Wesley Tyson III

Docket No. 4:18-CR-17-1D

Petition for Action on Supervised Release

COMES NOW Shawn M. Lyon, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of George Wesley Tyson III, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(1) and 18 U.S.C. § 924(a)(2), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on June 9, 2020, to the custody of the Bureau of Prisons for a term of 48 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months. On January 5, 2021, this case was reassigned to the Honorable James C. Dever III.

George Wesley Tyson III was released from custody on December 5, 2020, at which time the term of supervised release commenced. On January 6, 2021 a Violation Report was submitted due to the defendant testing positive for marijuana. The defendant was verbally reprimanded, counseled about his actions, cognitive intervention skills were used, and Tyson was referred for a substance abuse assessment. The court agreed to continue supervision. On February 2, 2021, a Petition for Action was submitted due to the defendant admitting to the use of Percocet and ecstasy, failure to comply with a substance abuse assessment, and for failing to notify the probation officer within 72 hours of contact with law enforcement. The defendant was counseled about his actions, cognitive intervention skills were used, and the court agreed to place the defendant on home detention for a period of 90 days and obtain a mental health assessment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On April 14, 2021, the undersigned officer conducted a home contact with the defendant at his mother's house at 140 Concord Dr., Greenville, NC. The defendant admitted to this officer that he had left his residence on this date without prior permission from the officer in violation of his home detention condition. As a sanction for this violation, we are respectfully recommending that the defendant be placed on Location Monitoring using Radio Frequency for the remainder of the previously ordered home detention condition. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall submit to the following Location Monitoring for the remainder of his previously imposed home detention: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Shawn M. Lyon
Shawn M. Lyon
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2337
Executed On: April 15, 2021

ORDER OF THE COURT

Considered and ordered this 15 day of April, 2021, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
U.S. District Judge